

REMARKS

Claims 1-8 are currently pending in the present application. Claims 1-8 are amended. No new matter is presented. In view of the above amendments and the following remarks, it is submitted that claims 1-8 recite patentable subject matter. Applicants respectfully request the favorable consideration and the allowance of claims 1-8.

Claims 1-8 are objected to for containing informalities. Claims 1-8 are amended to overcome the cited objections. In view of these amendments, Applicants request the withdrawal of the objection of claims 1-8.

Claims 1-8 are rejected under 35 U.S.C 112, second paragraph. Claims 1, 7, and 8 are amended to more clearly recite the features of the claimed invention. No new matter is presented. In view of the amendments to claims 1, 7, and 8, Applicants request the withdrawal of the rejection of claims 1-8 under 35 U.S.C. 112, second paragraph.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Baus (U.S. Patent No. 4,780,599). The Examiner takes the position that Baus teaches or suggests all the features recite in claims 1 and 2. Applicants respectfully disagree.

Baus is directed to a device for storing and releasing information containing at least one reading device for reading code arranged upon or associated with saleable goods. A data processing unit comprises a programmable coding unit.

It is submitted that Baus fails to teach or suggest all the features recited in claims 1 and 2. Specifically, Baus fails to teach or suggest the switching device is directly and automatically activated. Applicants also respectfully submit that Baus does not teach or suggest a product presentation equipment that provides the benefits of the claimed invention.

Baus discloses a product presentation equipment. The device of Baus comprises a computer for storing information with respect to products and a screen on which the stored information can be displayed. The Examiner states that a switching device is embodied in the form of a tag or a label. The Examiner also states that if the product is taken out of the shelf

and brought near to the reading device, the switching device is activated. Applicants respectfully disagree. The switching device of the claimed invention is not the same as the tag or label disclosed by Baus. In the claimed invention, the switching device which is assigned to each product is directly and automatically activated so that information about the product is retrieved and displayed on the computer screen. Also, the switching device that is assigned to each products activates the electroacoustic device that is represented by the product . In contrast, Baus merely discloses a device that reads the code on a label that is attached to the product. The label is not activated but rather the device of Baus merely reads the code on the label. Also, the label does not activate the electroacoustic device, whereas in the claimed invention, the electroacoustic device which is represented by the product is activated.

Thus, it is respectfully submitted that Baus does not teach or suggest that the product presentation equipment is adapted to activate the electroacoustic device in the product. In other words, in the claimed invention, information is displayed on the screen when a product is taken from out of the housing and the product is activated. For instance, audio signals are transmitted from the product presentation equipment to the product, when the product is activated. In contrast, Baus does not teach or suggest a device that activates an electroacoustic device that is represented by the product. Thus, it is submitted that Baus fails to teach or suggest a switching device that is directly and automatically activated when a product is taken into use and/or out of a housing, so that with the activation of the switching device, information (model designation, technical data, price) from the computer on the product is automatically reproduced on the screen and that the product represents an electroacoustic device and the equipment comprises means for the proper testing and/or for the activation of the electroacoustic device. Therefore, Applicants request the withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. 102(b).

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baus in view of Weaver (U.S. Patent Publication No. 2003/0227854 A1). The Examiner takes the position that the combination of Baus and Weaver teach or suggest all the features of the claimed invention. Applicants respectfully disagree.

Serial No.: 10/693,177

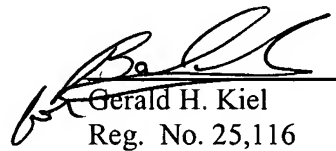
Claims 3 and 4 are dependent upon claim 1. It is submitted that for at least the reasons mentioned above, claims 3 and 4 recite patentable subject matter. Therefore, Applicants request the withdrawal of the rejection of claims 3 and 4 under 35 U.S.C. 103(a).

Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baus in view of Tsuchiuchi (U.S. Patent Publication No. 2003/0093538 A1). The Examiner takes the position that the combination of Baus and Tsuchiuchi teach or suggest all the features of the claimed invention. Applicants respectfully disagree.

Claims 5-8 are dependent upon claim 1. It is submitted that for at least the reasons mentioned above, claims 5-8 recite patentable subject matter. Therefore, Applicants request the withdrawal of the rejection of claims 5-8 under 35 U.S.C. 103(a).

In view of the above amendments and remarks, claims 1-8 all the claims pending in the application, are believed by Applicants to define patentable subject matter and should be passed to issue at the earliest possible time. A Notice of Allowance is requested.

Respectfully Submitted,

 Reg. No. 50,900
Gerald H. Kiel
Reg. No. 25,116

REED SMITH LLP
599 Lexington Avenue
New York, NY 10022
(P) 212-521-5402
Attorney for Applicant